

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Harold Rodriguez	Team: Squad #3	CCRB Case #: 201502702	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 04/08/2015 3:10 PM	Location of Incident: § 87(2)(g) [REDACTED]	Precinct: 68	18 Mo. SOL 10/8/2016	EO SOL 10/8/2016	
Date/Time CV Reported Fri, 04/10/2015 1:02 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Fri, 04/10/2015 1:02 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Kenneth Flores	30050	929435	068 PCT
2. POM Mohammad Kifaieh	16048	950678	068 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Michael Roder	25253	935610	068 PCT
2. POM Jesse Cotton	01178	938276	068 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Mohammad Kifaieh	Abuse: PO Mohammad Kifaieh entered and searched § 87(2)(b) [REDACTED]	[REDACTED]
B.POM Kenneth Flores	Abuse: PO Kenneth Flores entered and searched § 87(2)(b) [REDACTED]	[REDACTED]
C.POM Kenneth Flores	Discourtesy: PO Kenneth Flores spoke rudely to § 87(2)(b) [REDACTED] and § 87(2)(b) [REDACTED]	[REDACTED]

Case Summary

On April 8, 2015, at approximately 3:00 p.m., PO Kenneth Flores and PO Mohammad Kifaieh arrived at § 87(2)(b). They were in search of § 87(2)(b) who was wanted for a slashing and was reported to be in the location by a tenant named § 87(2)(b). Upon arrival, PO Flores and PO Kifaieh searched the building's basement (**Allegation A and B**). As they spoke to the § 87(2)(b) § 87(2)(b) and her husband § 87(2)(b), PO Flores cursed at both of them (**Allegation B**).

Mediation, Civil and Criminal Conviction Histories

- § 87(2)(b) and § 87(2)(b) both accepted mediation. The case was returned to the undersigned investigator when PO Flores rejected mediation.
- As of the writing of this report, § 87(2)(b) and § 87(2)(b) have not filed a notice of claim with the City of New York.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian and Officer CCRB Histories

- This is the second complaint filed by § 87(2)(b) § 87(2)(b).
- PO Flores has been a member of service for 13 years and has no substantiated allegations against him.
- PO Kifaieh has been a member of service for 4 years and has no substantiated allegations against him.

Findings and Recommendations

Explanation of Subject Officer Identification

- PO Flores and PO Kifaieh both acknowledged their interaction with § 87(2)(b) and § 87(2)(b).

Allegation A –Abuse of Authority: PO Mohammad Kifaieh entered and searched § 87(2)(b)

Allegation B – Abuse of Authority: PO Kenneth Flores entered and searched § 87(2)(b)

§ 87(2)(b) alleged that officers arrived at § 87(2)(b) looking for her daughter § 87(2)(b). The call was made by § 87(2)(b) who is a tenant of the building and has had ongoing disputes with § 87(2)(b)'s daughter. § 87(2)(b) was assaulted by § 87(2)(b) on April 1, 2015 and called the police that day, filing a report. On April 8, 2015, § 87(2)(b) called the police to state that § 87(2)(b) was in the building's basement. PO Flores and PO Kifaieh responded to the location and told § 87(2)(b) that they wanted to look in the basement. § 87(2)(b) allowed them to search the basement because she is the super of the building. Although § 87(2)(b) gave them consent to search the basement, she also argued that they needed a warrant regardless of there being a 911 call, therefore revoking the consent she initially gave. She let the officers search both sides of the basement and the officers did not open any doors or compartments.

PO Flores and PO Kifaieh consistently stated that they received the assignment from the desk Lieutenant Michael Lazzara. Lt. Lazzara told them that § 87(2)(b) was reported to be

§ 87(2)(g)

Squad:

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Attorney: _____
Title/Signature Print Date